

**THE HON'BLE SRI JUSTICE S. RAVI KUMAR**

**TRANSFER C.M.P.No.364 of 2016**

**ORDER:**

This application is filed to withdraw O.P.No.391 of 2016 from the file of Family Court, Ranga Reddy District at L.B.Nagar, and transfer the same to any competent Court at Kakinada, East Godavari District.

2. Wife filed this application. According to her affidavit, her marriage with respondent was performed on 14.10.2009 at A.S.Rao Nagar, Hyderabad, and during their wedlock, a male child was born on 23.02.2013. She stated that respondent started ill-treating her and harassed her apart from insulting her every day; and, vexed with attitude of respondent, she was forced to go to her parents house and lodged a complaint at Samalkot police, which is numbered as C.C.No.419 of 2015 and pending before IV Additional Judicial First Class Magistrate, Kakinada. She further stated that she filed DVC No.10 of 2016 and the same is pending before V Additional Judicial First Class Magistrate, Kakinada. She further stated that respondent filed O.P.No.391 of 2016 before Family Court, Ranga Reddy district at L.B.Nagar, for restitution of conjugal rights. She stated that she filed O.P.No.88 of 2015 to declare her as guardian of minor child and the same is pending before IV Additional District Judge, Kakinada, East Godavari District. She stated that distance between Samalkot and Hyderabad is around 600 kilometres and she cannot leave the child with anybody for attending Court at Ranga Reddy District to defend her case in O.P.No.391 of 2016. She further stated that she cannot travel with child and she cannot stay in a hotel at Hyderabad for the purpose of defending the O.P. She stated that respondent can easily travel from Hyderabad to Kakinada and he is attending the Court at Kakinada in connection of all the cases filed by her. For these reasons, she prayed for transfer of O.P.No.391 of 2016 from Family Court, Ranga Reddy District at L.B.Nagar, to any competent Court at Kakinada, East Godavari District.

3. As seen from the record, notice sent to respondent through Court is duly served on him. In spite of service of notice, respondent neither appeared in person nor through any advocate.

4. Heard arguments of advocate for petitioner.

5. Considering the reasons stated in the affidavit filed in support of this petition and also considering the convenience of wife and also the fact that three cases are already pending before various Courts at Kakinada, request of wife for transfer of O.P. from Family Court, Ranga Reddy District at L.B.Nagar, to any competent Court at Kakinada, East Godavari District, is considered.

6. Accordingly, O.P.No.391 of 2016 is withdrawn from the file of Family Court, Ranga Reddy District at L.B.Nagar, and transferred to the Court of Principal Senior Civil Judge, Kakinada, East Godavari District, for disposal in accordance with law.

7. The petition is ordered accordingly. No costs. Miscellaneous petitions, if any, pending in this petition, shall stand dismissed.

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**S. RAVI KUMAR, J**

24<sup>th</sup> August, 2016.

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